



## Title Guaranty Makes a Move!

Title Guaranty is on the move. . .literally. In late September, TGD and its parent organization, the Iowa Finance Authority (IFA), are relocating to a new office on the western edge of downtown Des Moines. IFA recently purchased a historic building at 2015 Grand Avenue and is in the process of renovating it to meet the organization's needs.

The move is beneficial for several reasons. For example, IFA currently rents its office space. Owning space will save an estimated \$2 million over the next 20 years. What's more, this amount does not include the increased value of the new building in 20 years, but is simply the money saved by purchasing rather than leasing.

Also, IFA currently employs 86 people, including 18 in the Title Guaranty Division who are currently housed in a separate office building. The new building is large enough to accommodate the entire staff, creating a better synergy within the organization.

Beginning October 1, please update your records with this contact information:

Iowa Finance Authority  
Title Guaranty Division  
2015 Grand Ave.  
Des Moines, Iowa 50312  
515.725.4900  
Fax: 515.725.4901  
Toll free: 800.432.7230

Look for information about a public open house scheduled for later this fall.



### ON THE MOVE

Distributed by:  
Iowa Finance Authority  
Title Guaranty Division  
200 East Grand Avenue, Suite 350  
Des Moines, IA 50309

800.432.7230 | [www.ifahome.com](http://www.ifahome.com)

## Frequently Asked Questions

### Q: What do I need to order a Commitment?

**A:** It's simple! You may request a Commitment from a participating attorney or abstractor or from Title Guaranty. If you are working with an attorney or abstractor, just ask them to issue the Commitment. Attorneys will usually issue a Commitment in place of a preliminary title opinion. When ordering the Commitment from Title Guaranty or from a participating abstractor, fax the preliminary title opinion along with the application. The Commitment identifies the current status of title and all issues that need to be cleared prior to closing.

### Please keep the questions coming. Send your questions to:

Linda Berg  
Email: [linda.berg2@iowa.gov](mailto:linda.berg2@iowa.gov)

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### FROM THE DIRECTOR

As the busy, summer home-buying season winds down, those of us in the real estate industry finally get the chance to take a breath and "clear our desks." This seems to be the best time to inventory that stack of old files and abstracts waiting for releases to be filed, final abstracting or final title opinions. Unfortunately, if a file is in that stack, a Title Guaranty Certificate has not been issued, and there is a lender out there unable to deliver a loan to the secondary market. Many of these secondary market investors are not waiting patiently for their final documents. They demand the files be submitted within 60 days of closing, including the Title Guaranty Certificate.

Title Guaranty is committed to streamlining the process and eliminating post-closing delays. How will we accomplish this? First, we are encouraging the use of the Rapid Certificate Program (details on page 1 of this issue). This is available for all Certificates issued by participating attorneys or abstractors. The final certificate can now be issued within days of closing! We continue to review our underwriting guidelines and requirements to eliminate the need for unnecessary documentation. We are expanding our training team in order to meet the needs of our participating attorneys and abstractors and to facilitate the use of our new online processing system. By moving the production of our Certificates to the field, the process is simplified and therefore, more efficient. We continue to work on developing and fostering relationships with our industry partners who provide valuable feedback on how we can stay competitive. Finally, we will soon roll out the "Standards in Excellence" program, a voluntary commitment by our participating attorneys and abstractors to guarantee timely service. We will promote these participants so lenders can more easily choose the providers dedicated to the best customer service. Preliminary discussions with lenders indicate this is a very popular initiative.

Setting the standard for price and quality is not just a slogan — it's the way we want to build business for the future. Quality service is a standard we cannot and will not neglect. We appreciate your commitment to providing the best possible service to our customers.

Loyd W. Ogle, Director

# Title Guaranty

## ON THE MOVE

## Rapid Certificate Gains Momentum

The word is out about Title Guaranty's new Rapid Certificate Program! From a lender's perspective, this program is one of Title Guaranty's most significant improvements. This program is designed to eliminate delays caused by unreleased mortgages and provide Title Guaranty Certificates to lenders as quickly after closing as possible. It's important to realize that most lenders have only about 90 days to deliver loans to the secondary market. After that, they are often penalized, usually with fines. The Rapid Certificate Program is only available on field-issued Certificates — Title Guaranty attorneys and abstractors are able to offer this service.

### How it works

After closing, the abstract is updated to show the documents filed of record, i.e., deed, mortgage, affidavits, etc. Rather than waiting for the release of the just-paid prior mortgage to be recorded, the abstract is immediately returned to the attorney for a final examination. A participating attorney or abstractor issues the final Certificate without delay. The unreleased mortgage must be shown as an exception on Schedule B of the Certificate. The "Loss Mortgage Lien" Endorsement is issued along with the Certificate to cover the lender for any loss related to the unreleased mortgage. This enables lenders to rapidly deliver loans to the secondary market.

### Keeping the records clean

Because Title Guaranty is committed to keeping our land title records clean, the issuing attorney or abstractor must notify Title Guaranty when the release is ultimately filed; we do not require an abstract update to show the release. If the release is not filed within six months of closing, we will ask the attorney or abstractor to use our Mortgage Release Program. The attorney or abstractor will need a copy of the payoff statement and proof of payment. It's a win-win situation: The process is quick, and it keeps Iowa's land title records clean. When using the Mortgage Release Program in conjunction with the Rapid Certificate, Title Guaranty pays for recording the release. It's simple and it eliminates one of the most frequent concerns we hear from lenders — getting the Certificate in a timely manner in order to deliver the loan to the secondary market.

### How to participate

Attorneys and abstractors must execute the Rapid Certificate Program agreement, which is available at [www.ifahome.com](http://www.ifahome.com). Detailed instructions are also available on the Web. Now, more than ever, working with Title Guaranty just makes sense!



## Save the Dates!

*Iowa Finance Authority  
Iowa Housing Conference  
September 19–20, 2006  
Hotel Fort Des Moines  
Des Moines, IA*

*Title Guaranty's Second  
Annual Conference  
November 15, 2006  
Crowne Plaza Hotel  
Cedar Rapids, IA*

## New Title Guaranty Forms

Choices of title forms are numerous within the industry, which is confusing for lenders and owners who conduct business in more than one state. The American Land Title Association (ALTA) Forms Committee recognized the inconsistency and in 2002 began the process of devising a new set of forms, making all preceding forms obsolete.

On June 17, 2006, ALTA adopted these new forms. We have been reviewing them and are pleased to discover that the policies have expanded the “Covered Risks” from eight items to 14, which includes prior implied coverages. The “Exclusions From Coverage” have been reduced, providing more protection to the consumer. Also, the forms are simplified, making them easier to understand.

Title Guaranty is currently in the process of adopting these updated forms. Look for more information about them later this fall.

## Meet Becky Petersen

Becky Petersen is the newest member of Title Guaranty’s staff. As Director of Field Operations, she is responsible for developing and maintaining relationships with our participating attorneys and abstractors. Becky will be very involved in training attorneys and abstractors on the new online processing system, underwriting guidelines and working with Title Guaranty.



Becky is a graduate of Creighton University School of Law and the University of Northern Iowa. Prior to joining Title Guaranty, she was in private practice in Des Moines, where she gained first-hand knowledge of Title Guaranty as a participating attorney.

## Title Guaranty Gearing Up for Annual Conference

“Great job! What a great conference!” “Very nice event.” “Overall, helpful and educational – thank you!”

That’s a sampling of the comments from attendees of the first Title Guaranty conference held in Des Moines last year. This year promises to be even better! Title Guaranty’s Second Annual Conference is rapidly approaching. Our host hotel is the beautiful Crowne Plaza conveniently located in downtown Cedar Rapids, attached to the U.S. Cellular Center. We’ve negotiated a great rate of \$77 for those staying overnight.

What will 2007 bring to the real estate industry in Iowa? One way to find out is to be in Cedar Rapids on November 15. This year’s lineup of speakers and workshops promises to be educational and thought-provoking. Whether you are an abstractor, lender, attorney or real estate professional, this conference is for you! From the economy to RESPA to Title Guaranty, our workshops and sessions will bring you the latest regarding the real estate settlement industry in Iowa. Plus, we offer continuing education credits (including one ethics credit) for the attorneys who attend. Registration material will be available soon.

## Top 10 Reasons to Attend Title Guaranty’s Second Annual Conference

**10. State-of-the-art facilities at the Crowne Plaza Hotel in Cedar Rapids, Iowa**

**9. Incredibly low registration fee — only \$60 for the entire conference**

**8. Breakout sessions featuring timely settlement service topics**

**7. Introduction of Title Guaranty’s new Closing Protection Letter**

**6. Updates on state and federal regulatory and legislative issues**

**5. Opportunity to network with your peers**

**4. Opening general session keynote address**

**3. General economic update by a representative of the Federal Reserve**

**2. Continuing legal education credit (including ethics) for attorneys**

**1. The latest on RESPA!**

## Featured Endorsement

### CONDOMINIUM ENDORSEMENT

As the name implies, the Condominium Endorsement is issued only where the covered property consists of one or more condominium units, properly organized under the Iowa Horizontal Property Act. The Condominium Endorsement may be used with either the Owner Certificate or the Lender Certificate.

This Endorsement protects against a variety of defects in the creation of the condominium project and other potential problems germane to condominiums, including:

- 1) Failure of the unit and its common elements to be part of a “condominium”;
- 2) Failure of the documents creating the condominium project to comply with applicable law, such that title to the unit and its common elements is affected;
- 3) Present violations of any restrictive covenants contained in the condominium documents;
- 4) The priority of any lien for condominium charges and assessments over the lien of any guaranteed mortgage;
- 5) Failure of the unit and its common elements to be a separate parcel for real estate tax purposes;
- 6) Any obligation to remove existing improvements because of present encroachments or future unintentional encroachments; and
- 7) Failure of title by reason of a right of first refusal to purchase which was exercised or existed at the Date of Certificate.

The prerequisites for issuing the Condominium Endorsement are:

- 1) The condominium must be properly organized under the Iowa Horizontal Property Act. The deed or mortgage for a condominium unit should include a description of the land, the document reference number and date of recording of the declaration, the unit or apartment number, and the percentage of undivided interest in the common areas and facilities. (See Iowa Code Section 499B.5 and Iowa Land Title Standard 14.2, including the Comment.)
- 2) As of the filing date of the mortgage (deed), there must be no unpaid dues, liens or assessments as per the Condominium Declaration. Typically, a statement from the association that all dues are paid in full as of the date of the mortgage will be required.